

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:10CR3113
	)	
Plaintiff,	)	
	)	<b>MEMORANDUM</b>
v.	)	<b>AND ORDER</b>
	)	
JOSE ESPINOZA,	)	
	)	
Defendant.	)	

This matter is before the court on defendant's notice of appeal (filing [97](#)) and motion for leave to appeal in forma pauperis (filing [98](#)). In support of his motion, defendant submitted an affidavit stating he cannot prepay the docket fees. (Filing [98](#).) Upon review of defendant's affidavit, I shall grant his motion for leave to appeal in forma pauperis. Defendant may proceed on appeal without prepayment of fees or costs or the giving of security therefor.

IT IS ORDERED:

1. Defendant's motion for leave to appeal in forma pauperis (filing [98](#)) is granted.
2. Defendant may proceed on appeal without prepayment of fees or costs.
3. The Clerk of the United States District Court for the District of Nebraska shall process defendant's appeal.

DATED this 10<sup>th</sup> day of February, 2012.

BY THE COURT:

*s/ Richard G. Kopf*

Senior United States District Judge

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